Big Building Group Not Willing to Let Buyers Resell the Product.

A MILLION IN INCOME

Hoisters Surrender, Deciding to Divorce Brindell and Work Singly.

HARD HUNT FOR SECRETS

Lockwood Committee Finds It Is Difficult to Get at Terra Cotta Facts.

Samuel Untermyer and the Lock-

the committee's fire, have agreed to disclosure their efficiency of the committee's any work comprised the disclosure of nationwide organizations of cement. Start commendation receiving and distert contained the result of the street of the

seems that do the steam and electric tuilding holsting of this city, was an tec began yesterday's session. John E. Eustis, an attorney of 200 Broadway, the Hoisters Association, of which he etary and treasurer, had decided to dissolve and to withdraw its membership from the Building Trades Employent with Robert P. Brindell, the dicted czar of the building industry. From now on, Mr. Eustis said, the hoisters will engage in business independently and with free and unrestricted competi-He was at pains to impress the littee with the sincerity of the de-

Mr. Untermyer assured him that the ction of the hoisters did not in any way reant immunity to them from prosecu-ion, and he read into the record minutes tion, and he read into the record minutes from the association's records showing that as late as November 6, 1920, an association committee, headed by H. S. Gardner of Newark, was busy working out plans to obtain uniformity in prices. Eustis admitted on the stand that Gardner had toid him that at one time efforts were made to get John T. Hettrick, originator of the "code of practice" and the card system of the building contractors, to serve the hoisters.

The Hoisting Association was composed of Thomas & Buckley Company, Smith Operating Company, Northside Hoisting Company, Carlson Company, Brooklyn: H. S. Gardner, Newark: the White Hod Elevator Company and the A. E. Pelham Operating Company, "Don't you know you are losing a bear".

system for receiving and distributing rick code somewhat in that initial were used instead of numbers to iden went a step further and classified the different kinds of jobs according to profit involved into the three classes of "A," "B" and "C," Class A being a job in which 100 per cent, or more of profit was possible, including the overhead, which would reduce that profit according to the size of the overhead.

### Terra Cotta Men Have Code.

The foregoing arrangement was known as the "code of ethics" of the National Terra Cotta Society, comprising vir-tually all of the big terra cotta manu-

and West.

The Eastern Terra Cotta Association, headquarters of which are in New York, it appeared, had all of the conveniences of the national association's "code of ethics" without the inconveniences of a constitution or bylaws or regularly elected officers, and has managed to work work along for the last two years with working conditions alone and not with wages, according to a statement made yesterday by Allen C. Howell, worry along for the hast two years without any infinites of its weekly meetings.

Mr. Untermyer opened his inquiry into the so-called cement ring by calling to the stand Mr. Huisart, the vice-president of the Cement Manufacturers' Protective Association, to whom he announced as the object of the investigation that of finding out the reason for the uniformity of prices for cement, as shown by the testimony of contractors who have appeared previously before the committee.

I made yesterday by Allen C. Howell, president of the Masters, Mates and Pilots Association. "We do not insist upon a wage increase," he said last night. "We want an eight hour day with time and a half for overtime; if necessary we will keep on with the present ten hour schedule, but the owners who have appeared previously before the committee.

Mr. Hulsart, whose association covers wood Committee added yesterday the fifth to the list of price fixing building trades organizations which, under the committee's fire, have agreed to the Hudson River district, with an aggregate annual output of 28,000.

Mr. Hulsart, whose association covers the Eastern or Lehigh region and embraces eighteen manufacturers in east-owners would not arbitrate further with the masters association and the Harbor and in the Hudson River district, with an aggregate annual output of 28,000.

Beautiful A. Russell, president of the New York Towboat Exchange, said the owners would not arbitrate further with the masters association. He said that the scale

from the constitution and by laws of the Cement Manufacturers' Protective Association showed that each member was required to send in each member was required to send in each member accomplete list of all his contracts, the prices, the stage of delivery, the amount of cement contracted for, the purchaser; a statistical statement of production and shaward stocks on hand and visitable presides shipment, stocks on hand, and virtually every detail of his business. That in-cormation was transmitted to all mem-pers in the form of a voluminous quar-Provision was made also

do use cards," the witness ad-

From another witness Mr. Untermyer brought the admission that only a fifteen day's supply of cement was sold to dealers at the time, which would insure that the dealer did not "speculate" with a surplus stock of cement. That rule, Mr. Untermyer contended, was meant also to control the price.

to control the price.

was Mr. Untermyer's parting shot Eustis.

"I don't mind," the witness repiled was not compensating me for the geography of the was not compensating me for the was uniform at \$2.55.

### TOWBOAT OWNERS REFUSE TO DICKER

Will Not Arbitrate Further With Masters, Says Head of Exchange.

CAPT. PRUETT OPTIMISTIC

Believes Agreement Will Be Reached to Prevent the Threatened Strike.

Frederick A. Russell, president of the

Business Details Traded.

Testimony of Hulsart and excerpts from the constitution and by laws of the Cement Manufacturers' Protective association showed that each member has required to send in each month a complete list of all his contracts, the rices, the stage of delivery, the amount time.

hour day, with time and a half overtime.

According to Capt John H. Pruett,
president of the National Association of
Masters, Mates and Pilots, from which
the organization of which Mr. Howells
is president withdrew recently, the majority of the New York masters, mates
and pilots are still in his organization.
What caused the split between the
owners and the Masters, Mates and Pilots
Association, he said, was not a matter
of wages or working conditions, but the
refusal of the owners to confer with
men who did not really represent the
masters, mates and pilots. New officers
of the New York local of the national
association have been elected, he said,
and they will appoint a committee to
deal with the coverage of the committee to
deal with the coverage of the committee to
deal with the coverage of the commissioners,
hour day, with time and a half overtime.

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president of the National Association of which Mr. Howells
is president withdrew recently, the majority of the New York masters, mates
and pilots are still in his organization.
What caused the split between the
owners and the Masters, Mates and Pilots
Association, he said, was not a matter
of wages or working conditions, but the
correlate Democratic commissioners,
Boyle and
Frances Perkins. The other two membeach.

The other two membeach.

The number of employees in all
bureaus of the commission will be reduced and the employment and immisplant education bureaus may be cut out on
the commission will be reduced and the employment and immisplant education bureaus may be cut out
altogether. The work of the latter probability the towner of the beauty of the truth but the slanfearces Perkins. The other two membeach.

The other two memther capture of the truth but the slanfearces Perkins. The other two membeach.

The number of employees in all
bureaus of the commission will be reduced and the employment and immisplant education bureaus may be cut out
attention because from the street.

You have ad terly report. Provision was made also for the exchange of information with other associations.

Mr. Untermyer had difficulty in getting at the system used. He waved a small card before the witness.

"Is this the initial step in producing uniformity of prices?" he asked. "Does it begin with a card system?"

"We do use cards," the witness admitted with the initial step in producing uniformity of prices?" he asked. "Does it begin with a card system?"

"We do use cards," the witness admitted association have been elected, he said.

mitted.

Regarding the association's practice of sending agents into the field to examine each contract job to see that the amount of cement ordered is needed, Mr. Untermyer asked:

"The point is that if there is too much cement in the market it would affect the price, would it not?"

"I don't know," replied Mr. Hulsart.
"I't might break the prices, mightn't it?" Mr. Untermyer insisted.
"In my opinion, it would, but I do not know anything about prices," the witness conceded.

"The my another witness Mr. Untermyer in sisted.

"The my another

# DROWN AS ICE BREAKS

Others Are Rescued in Ponds in and Near City.

### BOY, EYE GONE, ADMITS HE MADE BOMB FATAL TO PAL

Herbert Bramm, 16, in Hospital, Says Reading of Scientific Books Led to Experiments in Explosives and Chemistry.

lyn with the sight of his left eye gone and his left hand amputated, admitted taken it to Bergen Beach and explose and his left hand amputated, admitted yesterday that he had made the "bomb" that exploded on Sunday at his home, at 139 Rogers avenue, Brooklyn, injuring him and a pal, Paul Clandow, 17 years old, and killing another friend, John F. McKenney, 16, of 1248 Union street.

Talking in a whisper and but for a few minutes, Bramm told Police Capt. Frank J. Conboy and Detective Owen of the Grand avenue station that he had not found the bomb at Bergen Beach, as he had stated. He was frightened, he said, at what had taken place and had said that as an "excuse."

Herbert Bramm. 16 years old, who few chemicals and some gunpowder, and finally produced the bomb.

Bramm admitted that he had made Bramm admitted that he had made

he said, at what had taken place and had said that as an "excuse."

The police investigation exposed the explosion as the result of a boy's ignorant but persistent study of forces in which he was deeply interested. Being of a mechanical turn of mind, he read scientific books and gathered together a "chanica. He was continuary taking mechanical teach in the place of the place in the property taking mechanical turn of a boy's ignorant but persistent study of forces in which he was deeply interested. Being of the "bomb" until it exploded.

The police investigation exposed the acity permit for it, and practised with it at Bergen Beach. Mrs. Bramm said she had never seen or known anything of the "bomb" until it exploded.

Paul Clandow, who was not seriously hurt, is also at the Swedish Hospital.

## WILL ECONOMIZE ON BLUE LAW RIDICULE INDUSTRIAL BOARD IN FILM PROTESTED

head of a bureau, to be known as workmen's compensation, inspection, mediation and arbitration and statistical information. The commissioner's salary,
it is said, will be \$10,000 and the deputies' \$7,500 each.

The commission now has nearly 1,200
employees, and the Republicans insist
that it is overmanned and unweldy.
The Republicans will gain control
through the legislating out of office of
the three Democratic commissioners,
James M. Lynch, Edward F. Boyle and
Frances Perkins. The other two members are Republican. They get \$8,000
each.

The number of employees in all
bureaus of the commission will be re-

Medical Students Left It in

The mystery of the human ear which has been perplexing officials of Sing Sing prison and the New York solice since Vincent Valanotti, a convict, re-

elved it in a Christmas package from is wife, was solved yesterday by Capt. Irthur Carey of the headquarters omicide squad. Capt. Carey found that the ear had been pickled by medical students at Bellevue Hospital and left with Joseph Workman in his restaurant at 211 Seventh avenue, with a request to put it on ice. Valanotti's wife went to the

State Commission to Be Reor- Bowlby Doesn't Like Portrayal of Punishment for Sun-

day Diversions.

The distribution of the Lord's Day Alliance, sent a letter of the Pathe Flim Company, of 25 West Forty-fifth street, demanding that the film company withdraw from its news weekly film the pictures of the floats which recently paraded the city under the auspices of the International Sporting Club and which purported to portray the punishment exacted under the blue laws for various offences, such as swimming and fishing on Sunday.

Away from the Mayor's office. She hardly thought, she said, that the transfer was merely to provide a berth for some other lieutenant, since her husbard and the Mayor have grown so friendly. It must have been because of his long continued illness, she said.

Lieut. Kennel was the first man eyer picked to be police guard at City Hall. The idea of such a guardian was conceived by Mayor Strong, in 1895. Kennel served for every Mayor thenceforth, but after Mayor Hylan was elected he sought to resign. His friends led him to retract his decision, however, and substantially the punishment exacted under the blue laws for various offences, such as swimming and fishing on Sunday.

s against dishonest employers, olican officials have advised the ators that the removal of the ators that the should be charged by way from the Mayor's work place, nor otherwise, whom he had to should away from the Mayor's work place, nor otherwise, whom he had to should away from the Mayor's work place, nor otherwise, whom he had to should averaged the saw from the Mayor's work place, nor otherwise, whom he had to should average the same that the anounced the sounced that the should and the same that the should and the should are the proposal the same that the should and the way of the human ear which a beautiful the ators that the removal the same than the whithers are the fouraged the proposal the same that the should and the way of the propos

Ruby Costello, a gypsy, was arraigned before Magistrate Levine in Jefferson Market Court yesterday. A woman de-tective said the defendant had told her

## KENNEL, PROTECTOR OF MAYORS, MOVES No Evidences of Pneumonia, Say Physicians.

For Quarter of a Century at City Hall He Has Met Notables and Cranks.

GOES TO LAHEY'S STAFF

Chief Regret Is Not Having Had Chance to Prevent Shooting of Gaynor.

Lieut. William Kennel, for more than twenty-five years the official guard at the gates of the Mayor's office in City Hall, who has protected eight Mayors from harm and cranks, has been transferred. The announcement was contained in Commissioner Enright's order to he department yesterday. Kennel goes to the Chief Inspector's office at headquarters, with no specific task assigned to him.

to nim.

Lieut. "Bill," as he long was known to
the habitues of City Hall, has been off
post there for nearly a year, due to illness. This necessitated a serious operation last February in Mount Sinal Hospital. He recovered sufficiently to go to his home at 57 Grove street, Brooklyn Five weeks are best of the sufficient o Five weeks ago, however, Lieut. Kennel had to go back to Mount Sinal Hospital and a week later he was again operated on. His condition is still again operated on. His condition is still weak, according to his wife. Mrs. Kennel had not heard of her husband's transfer until a New York Herald reporter called. She was dumfounded at the thought that "Bill" was to be away from the Mayor's office. She hardly thought, she sald, that the transfer was morely to provide a berth for

blue laws for various offences, such as swimming and fishing on Sunday.

"You may think," says Dr. Bowlby's letter, "to shield yourself behind the pretence that your representative simply reported what his camera found in the street. Unless you are pitifully uning the war years, when every few weeks saw the visit of some foreign dignary to the building, but he talked with them all and won their compliments for his versatility.

Lieut. Kennel is 56 years old. Before the force in 1839 he was a

formed or misinformed you must know that the floats photographed by you represented not the truth but the slan-

### CARUSO RESTS WELL; CONDITION UNCHANGED M'WHINNEY FREED

Enrico Caruso, tenor of the Metropol tan Opera House, who is ill of pleurisy in his apartment in the Vanderbilt Hotel, held his own yesterday and, although suffering some pain, was fairly comfortable last night. At 11 o'clock his five attending physicians, Drs. Samuel Stella, Francis J. Murray and Philip

Horowitz, issued the following bulletin

"Mr. Caruso is resting fairly comfort-

Four of the physicians went to their homes, leaving Dr. Horowitz, the Caruso family physician, who remained through the night. It was learned that, following the evening consultation, the physicians assured Mrs. Caruso that there were no evidences of pneumonia or other complications.

omplications.

Late in the afternoon Mrs. Caruso told Late in the afternoon Mrs. Caruso told William J. Guard, publicity director of the Metropolitan Opera Company, over the telephone that she was greatly encouraged by the reports to her from the physicians, and added that the tenor's

### PLAYWRIGHT FILES BANKRUPTCY PETITION

Sugene Walter Has \$7,479 Liabilities and No Assets.

Vay," "Paid in Full" and other plays, of the Lockwood Legislative Committee filed yesterday a voluntary petition in who was indicted for alleged conspiracy bankruptcy in the United States District to protect the gambling ring of Nassau Court. He declared his liabilities as county. In the cases of Sheriff Charles W.

petition are Max Hart, money loaned in 1919, \$2,100; David Belasco, n vanced in 1919, \$500; Harry Wolff, money loaned in 1919, \$400; Judge J. H. White of San Francisco, for professional services rendered in 1919, \$500; Charles B. Towne, hospital services in 1920. services rendered in 1919, \$500; Charles
B. Towne, hospital services in 1920,
\$100; Herman Bach, merchandise purchased in 1919, \$500; L. Barth & Son,
merchandise purchased in 1919, \$440;
Friars Club, dues and house account,
\$338; Thomas Healy, \$371, and Archibald Selwyn, money loaned, \$200.
Mr. Walter was married in 1912 to
Charlotte Walker, an actress, who is Charlotte Walker, an actress now appearing on tour in David Bel co's production of "Call the Doctor."

### FLATBUSH DOUBLE FARE IS HALTED BY A STAY Court's Action Has Effect on

14 Other Brooklyn Routes.

Justice Alfred R. Page of the Appel-First Department, signed an order yesterday restraining the Brooklyn City Railroad Company from putting into force and effect its zoning system by which it would charge two fares on the Flatbush avenue surface line in Brooklyn after December 30. The stay will continue until January 7, when the court will decide whether the injunction shall continue.

attractions of

IN GAMBLING CASE BY NASSAU JURY

No Verdict, at 11 to 1, for Acquittal of Smith and Doughty.

DISCHARGED JURORS

Judge Young Said Assemblyman's Fate Rested on Lawyer's Words.

TESTIMONY IS REREAD

Jurors Wanted Detective's Exact Statement as to Raid on Stuckey's Place.

A jury before Justice J. Addison Young in the Supreme Court at Mineola last night acquitted Assemblyman Eogene Walter, author of "The Easiest Thomas A. McWhinney, vice-chairman Smith and Supervisor George G. Doughty the jury reported to Justice Young so after midnight this morning that it had not been able to agree on a verdict Justice Young discharged the jurors when the foreman, William A. Isaaca said that there was no possibility of an agreement being reached.

It was understood that the jury stood juror holding out for conviction, it was said, seemed to be convinced that Sheriff Smith had been proved guilty by the testimony of Allen O. Meyers, a private detective, who said that Sheriff Smith had notified John Stuckey of Far Rock-away that a raid was to be made on Stuckey's alleged gambling house. Meyers' testimony was read again to the

away that a raid was to be made on Stuckey's alleged gambling house. Meyers' testimony was read again to the jury when the McWhinney verdict was handed down at 10:15 o'cock, after which the jurors retired to their room for further deliberation.

Yesterday's session of the trial, which has been in progress for several days, was taken up with the summations of opposing counsel and by the charge of Justice Young. Each of the defendants attorneys made an address to the jurors and District Attorney Charles R. Wocks represented the State.

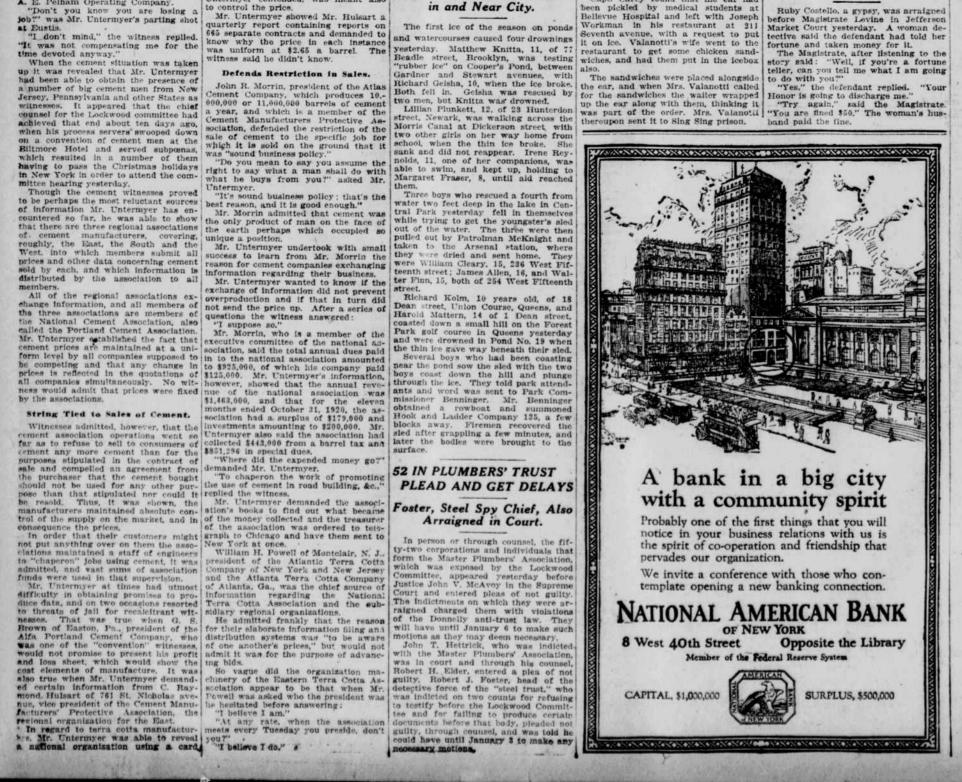
In his charge to the jury Justice Young paid particular attention to the

In his charge to the jury Justice Young paid particular attention to the testimony of the State's star witness, John N. Fleischer, in so far as it related to Mr. McWhinney. Fleischer, who was shown by Henry A. Uterhart, attorney for McWhinney, to have been disbarred as an attorney, had testified that the Assemblyman had offered him \$2,000 if he would stop writing articles about gambling in Nassau county for the Nassau Journal, the organ of the Nassau County Association. Justice Nassau County Association. Justice Young told the jury that this testimony was the only evidence that connected Assemblyman McWhinney with the al-leged conspiracy, and that if the jurors did not believe Fleischer's testimony they must account

they must acquit. The case went to the jury at 6 o'clock and a recess was taken until 8, when the jurors began their deliberations. The McWhinney verdict was handed down after two hours and fifteen minutes.

\$500,000 LANSING FIRE.

Lansing, Mich., Dec. 28.—Fire of un determined origin destroyed the six stor. Prudden Office Building here this morn ing. The loss is estimated at more than \$500,000.





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